

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL INC., COMEDY)
PARTNERS, COUNTRY MUSIC)
TELEVISION, INC., PARAMOUNT)
PICTURES CORPORATION, and BLACK)
ENTERTAINMENT TELEVISION LLC,)

Plaintiffs,)

vs.)

NO. 07-CV-2203

YOUTUBE, INC., YOUTUBE, LLC,)
and GOOGLE INC.,)

Defendants.)

THE FOOTBALL ASSOCIATION PREMIER)
LEAGUE LIMITED, BOURNE CO., et al.,)
on behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

vs.)

NO. 07-CV-3582

YOUTUBE, INC., YOUTUBE, LLC, and)
GOOGLE, INC.,)

Defendants.)

30(b)(6) VIDEOTAPED DEPOSITION OF STORM DUNCAN
SAN FRANCISCO, CALIFORNIA
WEDNESDAY, JULY 16, 2008

BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CLR
CSR LICENSE NO. 9830
JOB NO. 15373

Figueira Decl. Tab

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1 according to the ability to monetize them?

2 MR. VOLKMER: I'm going to renew the
3 objection.

4 THE WITNESS: Thank you.

5 Let's wait until we get to those, and then
6 I'll give you a better answer.

7 MR. HOHENGARTEN: Q. Let's walk through the
8 breakdown here though --

9 A Sure.

10 Q -- still.

11 We started to talk about it but I want to try
12 to go through it a little more methodically to make
13 sure that I understand the information that's being
14 supplied here.

15 A Okay.

16 Q There is -- the first line gives a gross
17 total and it says "424"; correct?

18 A That's correct.

19 Q In parenthesis, and you mentioned this in a
20 prior answer, it says "Includes 123 that aren't valid
21 URLs"; correct?

22 A That's correct also.

23 Q Do you understand what the 424 refers to?

24 A My recollection of the 424 is that it's a --
25 it says at the top of the e-mail, "Some manual

1 analysis we did," was that it was a study that the
2 Google folks had performed studying, you know, a
3 number of randomly generated or chosen videos, and
4 that 424 is the number that they had randomly chosen
5 and -- and were able to categorize with these
6 subcategorizations.

7 Q Okay. And the "includes 123 that aren't
8 valid URLs," do you understand what the meaning of
9 that is?

10 A I would assume -- I don't know YouTube's
11 technology underpinnings well enough, but I would
12 assume that meant at one point there was a video that
13 had been put up and it kind of looks as though you can
14 click on it, but when you click on it, that video is
15 no longer there, so it's no longer valid. That would
16 be my understanding.

17 Q And that number is subtracted from -- the 123
18 that aren't valid URLs are -- are subtracted from the
19 gross total to provide a net total of videos of 301;
20 is that correct?

21 A That's correct.

22 Q And then that net total of 301 videos that's
23 regard -- that treated as 100 percent for purposes of
24 the analysis; right?

25 A That's correct, yes.